

Federal Defenders OF NEW YORK, INC.

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MEMO ENDORSED

November 13, 2007

VIA FACSIMILE

The Honorable John F. Keenan
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
Fax: 212-805-4175

NOV 13 2007

Re: United States v. Celso Melendez
07 Cr. 786 (JFK)

Dear Judge Keenan:

I write to request an adjournment of the conference scheduled for Wednesday, November 14, 2007 at 10:00 a.m. The Government consents to this request.

The parties are close to reaching an agreed upon disposition in the matter. There is still a small amount of discovery that the FBI has not been able to make available to the defense because of some technical difficulties with the video recordings at issue in the case.

Aside from that issue, which we expect to be able to resolve quickly, the parties have agreed in principle on a disposition. For this reason, I respectfully request that the Court adjourn the matter for approximately two weeks at which time I anticipate Mr. Melendez will enter a guilty plea. Because this additional time is necessary for the defendant to fully review discovery and make an informed decision about a plea, Mr. Melendez consents to an exclusion of time under the Speedy Trial Act. The need for additional time serves the interest of justice and outweighs the defendant's and the public's interests in a speedy trial.

USDC SDNY
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cc: Todd W. Blanche, Esq. Assistant U.S. Attorney

Respectfully submitted,

 David Patton
 Attorney for Mr. Melendez
 (212) 417-8762

*Application granted.
The conference is adjourned
until November 28, 2007 at 10 AM.*

*Ordered
November 13, 2007* *John F. Keenan* TOTAL P.002
212 571 0392